

CLOSED

**U.S. District Court
Eastern District of Virginia – (Alexandria)
CRIMINAL DOCKET FOR CASE #: 1:20-cr-00073-TSE-1**

Case title: USA v. Galloway

Date Filed: 03/09/2020

Date Terminated: 10/30/2020

Assigned to: District Judge T. S.
Ellis, III

Defendant (1)

Thomas Richard Galloway
TERMINATED: 10/30/2020

represented by **Amy Lovell Wilson**
Amy L Wilson PLC
10623 Jones St
Suite 101A
Fairfax, VA 22030
703 564-2188
Fax: 703 790-8000
Email: aklwilson@yahoo.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

21:846 CONSPIRACY TO
DISTRIBUTE CONTROLLED
SUBSTANCE
(1)

Disposition

27 months –BOP. 3 year SR Term

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

None

Disposition

Plaintiff**USA**represented by **Carina Cuellar**

US Attorney's Office (Alexandria-NA)

2100 Jamieson Avenue

Alexandria, VA 22314

NA

703-299-3700

Email: carina.cuellar@usdoj.gov**LEAD ATTORNEY****ATTORNEY TO BE NOTICED***Designation: US Attorney*

Date Filed	#	Page	Docket Text
03/09/2020			Set Hearing as to Thomas Richard Galloway: Pre-Indictment Plea Hearing set for 3/27/2020 at 02:00 PM in Alexandria Courtroom 900 before District Judge T. S. Ellis III. (tran) (Entered: 03/09/2020)
03/17/2020			Pre-Indictment Plea Hearing set for Friday, March 27, 2020 at 2:00 p.m. as to Thomas Richard Galloway –Terminated: Pursuant to General Order No. 2020-03 issued by Mark S. Davis, Chief United States District Judge. (tran) (Entered: 03/17/2020)
04/13/2020	<u>2</u>		ORDER– It is hereby ORDERED that a plea hearing in this matter is SCHEDULED for Friday, June 12, 2020 at 2:30 p.m. as to Thomas Richard Galloway. Signed by District Judge T. S. Ellis, III on 4/13/2020. (dest,) (Entered: 04/13/2020)
04/13/2020			Reset Deadlines/Hearings as to Thomas Richard Galloway: Pre-Indictment Plea Hearing reset for 6/12/2020 at 02:30 PM in Alexandria Courtroom 900 before District Judge T. S. Ellis III. (dest,) (Entered: 04/13/2020)
04/13/2020			Reset Hearing as to Thomas Richard Galloway: Pre-Indictment Plea Hearing reset for 6/26/2020 at 03:00 PM in Alexandria Courtroom 900 before District Judge T. S. Ellis III. (tran) (Entered: 04/13/2020)
06/25/2020	<u>3</u>		Pretrial Services Bond REPORT (Initial Pretrial Services Bond Report) (SEALED – government and defense counsel) as to Thomas Richard Galloway. (pet, leo) (Entered: 06/25/2020)
06/26/2020	<u>4</u>		NOTICE OF ATTORNEY APPEARANCE: Amy Lovell Wilson appearing for Thomas Richard Galloway (Wilson, Amy) (Entered: 06/26/2020)
06/26/2020	<u>5</u>		WAIVER OF INDICTMENT by Thomas Richard Galloway (tran) (Entered: 06/26/2020)
06/26/2020	<u>6</u>		CRIMINAL INFORMATION as to Thomas Richard Galloway (1) count(s) 1. (tran) (Entered: 06/26/2020)
06/26/2020	<u>7</u>		Minute Entry for proceedings held before District Judge T. S. Ellis, III: Pre-Indictment Plea Hearing as to Thomas Richard Galloway held on 6/26/2020. USA appeared through Carina Cuellar. Defendant appeared with counsel, Amy Wilson.

		<p>Defendant waived right to indictment, was informed of penalties and rights, and pled guilty to Count I of the Criminal Information <u>6</u> . Plea accepted. Defendant referred to PO for preparation of a PSR and Sentencing set for 10/30/2020 at 09:00 AM in Alexandria Courtroom 900 before District Judge T. S. Ellis III. Oral Motion to Defer Reported –DENIED.</p> <p>Defendant remanded.</p> <p>Court Reporter: P. Kaneshiro–Miller (tran) (Entered: 06/26/2020)</p>
06/26/2020	<u>8</u>	Redacted Criminal Case Cover Sheet (tran) (Entered: 06/26/2020)
06/26/2020	<u>9</u>	PLEA AGREEMENT as to Thomas Richard Galloway (tran) (Additional attachment(s) added on 6/26/2020: # <u>1</u> Under Seal Addendum) (tran,). (Entered: 06/26/2020)
06/26/2020	<u>10</u>	Statement of Facts as to Thomas Richard Galloway (tran) (Entered: 06/26/2020)
09/25/2020	<u>11</u>	PRESENTENCE INVESTIGATION REPORT (Disclosed Presentence Investigation Report) (SEALED – government and defense counsel) as to Thomas Richard Galloway. Objections to PSI due 10/12/2020. (compher, tara) (Entered: 09/25/2020)
10/22/2020	<u>12</u>	PRESENTENCE INVESTIGATION REPORT (Sentencing Presentence Investigation Report) (SEALED – government and defense counsel) as to Thomas Richard Galloway. (Attachments: # <u>1</u> Letter Attorney)(santiago, claritza) (Entered: 10/22/2020)
10/26/2020	<u>14</u>	Sealed Position in Sentencing by USA (dest,) (Entered: 10/26/2020)
10/26/2020	<u>15</u>	Sealed Motion by USA as to Thomas Richard Galloway. (dest,) (Entered: 10/26/2020)
10/26/2020	<u>16</u>	MOTION to Seal by Thomas Richard Galloway. (Attachments: # <u>1</u> Proposed Order)(Wilson, Amy) (Entered: 10/26/2020)
10/27/2020	<u>17</u>	ORDER granting <u>16</u> Motion to Seal as to Thomas Richard Galloway (1). Signed by District Judge T. S. Ellis, III on 10/27/2020. (see Order for details) (dest,) (Entered: 10/27/2020)
10/28/2020	<u>18</u>	Sealed Position on Sentencing by Thomas Richard Galloway. (Attachments: # <u>1</u> Attachment A, # <u>2</u> Attachment B, # <u>3</u> Attachment C)(aott,) (Entered: 10/28/2020)
10/30/2020	<u>19</u>	Minute Entry for proceedings held before District Judge T. S. Ellis, III: Sentencing held on 10/30/2020. Court Reporter: T. Harris (tran) (Entered: 10/30/2020)
10/30/2020	<u>20</u>	JUDGMENT as to Thomas Richard Galloway, Count(s) 1, 27 months w/credit for time served w/3 year SR Term with special conditions; \$100 SA. Signed by District Judge T. S. Ellis, III on 10/30/2020. (tran) (Entered: 10/30/2020)
10/30/2020	<u>21</u>	Sealed Statement of Reasons as to Thomas Richard Galloway. (tran) (Entered: 10/30/2020)
10/30/2020	<u>22</u>	Confidential Information Page re: Judgment as to Thomas Richard Galloway. (tran) (Entered: 10/30/2020)

11/19/2020	<u>23</u>		Mail sent to Attorney Amy Lovell Wilson returned as undeliverable. (dest,) (Entered: 11/19/2020)
05/28/2021	<u>24</u>		Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision as to Thomas Richard Gallaway. (kgall) (Entered: 05/28/2021)
02/01/2022	<u>25</u>		Probation Jurisdiction Transferred to District of Arizona as to Thomas Richard Gallaway Transmitted Transfer of Jurisdiction form, with certified copies of indictment, judgment and docket sheet. (dvanm) (Entered: 02/01/2022)

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

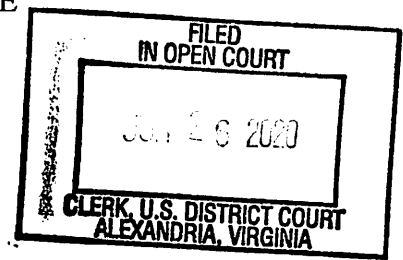
THOMAS RICHARD GALLAWAY,

Defendant.

)
)
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)
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Criminal No. 1:20-cr-73

The Hon. T.S. Ellis, III



CRIMINAL INFORMATION

COUNT ONE


THE UNITED STATES ATTORNEY CHARGES THAT:

Between in and around September 2015 and continuing through in and around April 2016, in Fairfax County, Virginia, within the Eastern District of Virginia and elsewhere, the defendant, THOMAS RICHARD GALLAWAY, did unlawfully, knowingly, and intentionally combine, conspire, confederate, and agree with Jimmy Oliver Zeigler II, Kimberly Roxann Braun, Kallie Ann Sack, and other persons, both known and unknown, to unlawfully, knowingly, and intentionally distribute fifty grams or more of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

(In violation of Title 21, United States Code, Section 846)

Respectfully submitted,

G. Zachary Terwilliger
United States Attorney


Carina A. Cuellar
Assistant United States Attorney

UNITED STATES DISTRICT COURT
Eastern District of Virginia
Alexandria Division

UNITED STATES OF AMERICA

v.

Case Number: 1:20-cr-00073-TSE-1

THOMAS RICHARD GALLAWAY
Defendant.

USM Number: 02722-509

Defendant's Attorney: Amy Lovell Wilson, Esquire

JUDGMENT IN A CRIMINAL CASE

The defendant pleaded guilty to Count 1 of the Criminal Information.


Accordingly, the defendant is adjudicated guilty of the following counts involving the indicated offenses.

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Offense Class</u>	<u>Offense Ended</u>	<u>Count</u>
21 U.S.C. § 846	Conspiracy to Distribute 50 Grams or More of Methamphetamine	Felony	04/2016	1

As pronounced on October 30, 2020, the defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States Attorney of material changes in economic circumstances.

Signed this 30th day of October, 2020.



T. S. Ellis, III
United States District Judge

Defendant's Name: GALLAWAY, THOMAS RICHARD
Case Number: 1:20-cr-00073-TSE-1

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of TWENTY-SEVEN (27) MONTHS with credit for time served as computed by the Bureau of Prisons pursuant to statute.

The Court makes the following recommendations to the Bureau of Prisons:

The defendant be permitted to participate in the Residential Drug Abuse Treatment Program (RDAP).

The defendant be designated to serve his sentence at a facility that is commensurate with his security needs, which are minimal.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this judgment as follows: _____

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

UNITED STATES MARSHAL

By

DEPUTY UNITED STATES MARSHAL

Defendant's Name: GALLAWAY, THOMAS RICHARD
Case Number: 1:20-cr-00073-TSE-1

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of THREE (3) YEARS.

The Probation Office shall provide the defendant with a copy of the standard conditions and any special conditions of Supervised Release.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and periodic drug tests thereafter, as determined by the court.

The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or restitution obligation, it is a condition of Supervised Release that the defendant pay any such fine or restitution in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

STANDARD CONDITIONS OF SUPERVISED RELEASE

The defendant shall comply with the standard conditions that have been adopted by this court set forth below:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer for a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Defendant's Name: GALLAWAY, THOMAS RICHARD
Case Number: 1:20-cr-00073-TSE-1

SPECIAL CONDITIONS OF SUPERVISION

While on Supervised Release pursuant to this Judgment, the defendant shall also comply with the following additional special conditions:

- 1) The defendant shall participate in a program approved by the United States Probation Office for substance abuse, which program may include residential treatment and testing to determine whether the defendant has reverted to the use of drugs or alcohol, with partial cost to be paid by the defendant, all as directed by the probation officer.
- 2) The defendant shall participate in a program approved by the United States Probation Office for mental health treatment. The cost of this program is to be paid by the defendant as directed by the probation officer.
- 3) The defendant shall provide the probation officer access to any requested financial information.
- 4) The defendant to complete thirty (30) hours of community service under the supervision of the probation officer, which involves speaking to the appropriate population about his experience and that there are significant consequences in criminal behavior.

Defendant's Name: GALLAWAY, THOMAS RICHARD
Case Number: 1:20-cr-00073-TSE-1

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the Schedule of Payments on Sheet 6.

	<u>Count</u>	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
	1	\$100.00	\$0.00	\$0.00
TOTALS:		\$100.00	\$0.00	\$0.00

FINES

No fines have been imposed in this case.

RESTITUTION

No restitution has been imposed in this case.

Defendant's Name: GALLAWAY, THOMAS RICHARD
Case Number: 1:20-cr-00073-TSE-1

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

The special assessment shall be due in full immediately.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the Clerk of the Court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed. Payments shall be applied in the following order: (1) assessment (2) restitution principal (3) restitution interest (4) fine principal (5) fine interest (6) community restitution (7) penalties and (8) costs, including cost of prosecution and court costs.

Nothing in the court's order shall prohibit the collection of any judgment, fine, or special assessment by the United States.

Defendant's Name: GALLAWAY, THOMAS RICHARD
Case Number: 1:20-cr-00073-TSE-1

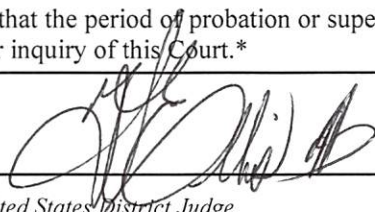
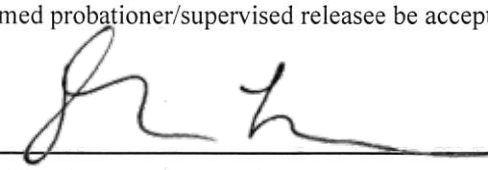
STATEMENT OF REASONS

VII COURT DETERMINATIONS OF RESTITUTION

- A. ☒ Restitution not applicable.
- B. Total Amount of Restitution: \$
- C. Restitution not ordered (Check only one.):
1. ☐ For offenses for which restitution is otherwise mandatory under 18 U.S.C. § 3663A, restitution is not ordered because the number of identifiable victims is so large as to make restitution impracticable under 18 U.S.C. § 3663A(c)(3)(A).
 2. ☐ For offenses for which restitution is otherwise mandatory under 18 U.S.C. § 3663A, restitution is not ordered because determining complex issues of fact and relating them to the cause or amount of the victims' losses would complicate or prolong the sentencing process to a degree that the need to provide restitution to any victim would be outweighed by the burden on the sentencing process under 18 U.S.C. § 3663A(c)(3)(B).
 3. ☐ For other offenses for which restitution is authorized under 18 U.S.C. § 3663 and/or required by the sentencing guidelines, restitution is not ordered because the complication and prolongation of the sentencing process resulting from the fashioning of a restitution order outweigh the need to provide restitution to any victims under 18 U.S.C. § 3663(a)(1)(B)(ii).
 4. ☐ Restitution is not ordered for other reasons:
- D. ☐ Partial restitution is ordered under 18 U.S.C. § 3553(c) for these reasons:

VIII ADDITIONAL FACTS JUSTIFYING THE SENTENCE IN THIS CASE (If applicable.)

Sections I, II, III, IV, and VII of the Statement of Reasons form must be completed in all felony cases.
Date of Imposition of Judgment: October 30, 2020

Prob 22 (VAE Rev. 4/13)		DOCKET NUMBER (<i>Tran. Court</i>) 1:20CR73	
TRANSFER OF JURISDICTION NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE: Thomas Richard Gallaway		DOCKET NUMBER (<i>Rec. Court</i>) CR-22-50020-PHX-DWL	
		DIVISION Alexandria	
		NAME OF SENTENCING JUDGE The Honorable	
DATES OF PROBATION/SUPERVISED RELEASE:		FROM 1/18/22	TO 1/17/25
OFFENSE : Conspiracy to Distribute 50 Grams or More of Methamphetamine, in violation of Title 21, U.S.C., Section 846.			
PART 1 - ORDER TRANSFERRING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE <u>EASTERN DISTRICT OF VIRGINIA</u>			
IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of the Court to the United States District Court for the DISTRICT OF ARIZONA upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.*			
<u>1/25/22</u> Date		 Senior United States District Judge	
*This sentence may be deleted in the discretion of the transferring Court.			
PART 2 - ORDER ACCEPTING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE <u>DISTRICT OF ARIZONA</u>			
IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.			
<u>January 27, 2022</u> Effective Date		 United States District Judge	